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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/374,136	08/10/1999	DAVID A. MONROE	58959.0024	3360

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EXAMINER

PATEL, KANJIBHAI B

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 05/07/2002

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/374,136

Applicant(s)
David A. Monroe

Examiner
Kanji Patel

Art Unit
2621



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6, 10, 11, and 17-47 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6, 10, 11, and 17-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

Art Unit: 2621

Response to Amendment

1. Applicant's amendment filed 1/17/02 has been entered and made of record.

In response to applicant's amendment and persuasive arguments with respect to claims 20, 21-25, 27-28, 46 and 48-52, the rejection under 112, second paragraph has been withdrawn.

Applicant's arguments filed on 1/17/02 with respect to claims 2-6, 10-11 and 17-51 have been fully considered but they are not persuasive in view of new grounds of rejection necessitated by the applicant's amendment. The examiner has carefully considered applicant's primary arguments with respect to independent claim 2 but firmly believes the cited references to reasonably and properly meet the claimed features. The claimed language is given its broadest reasonable interpretation in light of the specification.

Applicant argues on the paragraph bridging the page 7 and 8 of the response that Feder does not speak to an interface positioned intermediately of the data network, facsimile, and computer. Examiner disagrees. Feder clearly shows the use of interface 120 in figure 1 which is intermediately positioned or connected between fax machine 110 and server or computer 130 and network or internet 140. He also shows in figure 5 by elements 570, 520, 522, 530 and 540 to transmit or receive fax information from a remote fax machine at location B.

Due to missing of claim 42 originally, claims 43-52 were improperly numbered and have been renumbered as claims 42-51 for purpose of the Office action.

Art Unit: 2621

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 2-6, 10-11, 17- 47 are rejected under 35 USC 102 (e) as being anticipated by Feder (US 5,872,845).

For claim 2, Feder provides a facsimile transmitting/receiving system (figure 1) comprising a standard facsimile machine (110 and 170 in figure 1) and a computer (130 and 150 in figure 1, provides computer) based system in communication (140 in figure 1 provides communication) with the standard facsimile machine, the system comprising:

- a. an interface (120 and 160 in figure 1 provide interface) positioned intermediately of and in communication with both the facsimile machine (110 and 170 in figure 1) and the computer (130 and 150 in figure 1, provides computer);
- b. a line (140 network in figure 1 provides a line) for receiving and sending facsimile signals in communication with the interface for selectively communication directly with the facsimile machine and the computer;
- c. means for converting (220 in figure 2A) encoded (cc5 in figure 2A) documents to formats compatible with computer supported systems and with the facsimile machine;

Art Unit: 2621

wherein said means is further adapted for converting facsimile signals to a format for transmission over distributive communication networks (140 in figure 1; 540 in figure 5; 640 in figure 6; 740 in figure 7) and for converting network transmitted signals in a format for transmission over a facsimile transmission line (at least figure 6 shows clearly facsimile transmission line).

For claim 10, Feder provides a method for transmitting a facsimile signal from a local station to a remote station via a distributive communication network comprising the steps of:

- a. generating a facsimile signal (at least fax machine 570 in figure 5 generates a facsimile signal) utilizing a standard facsimile at the local station (at least 570 in figure 5 provides local station);
- b. converting (figure 5, elements 520, 522, 530) the signal to a format compatible with the network (at least 540 in figure 5 provides network);
- c. transmitting the converted signal via the network to a remote station (location B in figure 5 provides remote station);

wherein both the local station and the remote station are facsimile machines (locations A and B are facsimile machines), and further comprising the steps of:

- a. receiving the converted , transmitted signal (520, 522 and 530 convert and transmit the signal via internet) at the remote station (at least location B can be read on remote station can receive converted, transmitted signal);

Art Unit: 2621

- b. reconverting the transmitted signal to a facsimile format (550, 562, 570 in figure 5 reconvert the transmitted signal to facsimile format);
- c. receiving the reconverted, transmitted signal at a standard facsimile machine (location A and B can provide standard facsimile machine).

As to claim 11, 17, 29, 36, 38, 42, 44 and 46, Feder discloses a method for transmitting a facsimile signal from a local station (figure 1, element 110) to a remote station (figure 1, element 170) via a distributive communication network (figure 1, element 140) comprising (figures 1, 10) the steps of:

- a. generating a facsimile signal at the local station (figure 5, location A; abstract);
- b. converting the signal to a format compatible with the network (figure 2A, element 30; figure 5, element 520; abstract) document converter converts into a format);
- c. Transmitting the converted signal via the network to a remote station (figure 2A, element 235; figure 5, element 540; location B).

As to claim 18, Feder discloses a network further comprising a telephone line (figure 5, element 522) in communication with the interface (figure 5, element 520), and means for selective directing a facsimile signal between the telephone line, the network interface and the facsimile receiving/sending station (figure 5, elements 570, locations A and B).

As to claim 19, Feder discloses the network wherein said network interface comprises a personal computer (figure 5, elements 530, 550).

Art Unit: 2621

As to claims 20 and 26, Feder discloses a facsimile transmitting/receiving system (figures 1, 5-6) comprising a sending computer (figure 5, element 530), a computer network (figure 1, element 140; figure 5, element 540), and a receiving computer (figure 5, element 550) wherein the sending computer is comprised of an input device connected to a first controller (figure 2A, element 240; 120 and 160 in figure 1; 520 in figure 5; 720 and 770 in figure 7), in turn connected to a transmitter and the receiving computer is comprised of a receiver connected to a second controller (figure 2B, element 290; 120 and 160 in figure 1; 520 in figure 5; 720 and 770 in figure 7), in turn connected to an output device;

wherein the sending computer (530 or 550 in figure 5) is connected to the computer network (figure 5, element 540), which is in turn connected to the receiving computer; and wherein the input device is capable of scanning a first document and providing a standard facsimile signal of said document to the first controller, the first controller capable of converting the standard facsimile signal to a computer data signal and forwarding said computer data signal to the transmitter, the transmitter capable of transmitting said computer data signal to the receiver, the receiver capable of forwarding said computer data signal to the second controller, the second controller capable of rendering a second document, which is corresponding to the first document, to the output device based upon the computer data signal (column 4 line 40 to column 10 line 45).

Art Unit: 2621

As to claims 21, 27, 32-33, 35, 37, 41 and 45, Feder discloses the facsimile transmitting/receiving system wherein the input device is an off-the-shelf a facsimile machine (figure 1, element 110, 170; 570 in figure 5).

As to claim 22, Feder discloses the facsimile transmitting/receiving system wherein the second controller is capable of converting the computer data signal to a second standard facsimile signal and forwarding said second standard facsimile signal to the output device; and the output device capable of generating the second document on paper (figures 2A; element 240)

As to claims 23, 43 and 47, Feder discloses the facsimile transmitting/receiving system wherein the output device is an off-the-shelf facsimile machine (figure 1, element 170).

As to claim 24, Feder discloses the facsimile transmitting/receiving system wherein the output device is a printer (figures 1, 5; fax includes printer inherently).

As to claims 25, 28, 31 and 40, Feder discloses the facsimile transmitting/receiving system wherein the computer network is a TCP/IP network (column 6, lines 33-40).

As to claims 30 and 39, Feder discloses the method wherein the transmitting is accomplished via a computer network (figures 1, element 140; network reads on computer network; figure 5, element 540).

As to claim 34, Feder discloses the method further comprising the steps of:
converting the computer data signal to a second standard facsimile signal at the second location (figures); forwarding the second standard facsimile signal to an output device at the second location (figures 7).

Art Unit: 2621

Claims 3-6 are similarly analyzed and rejected as claim 18 above.

3. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Art Unit: 2621

Contact information

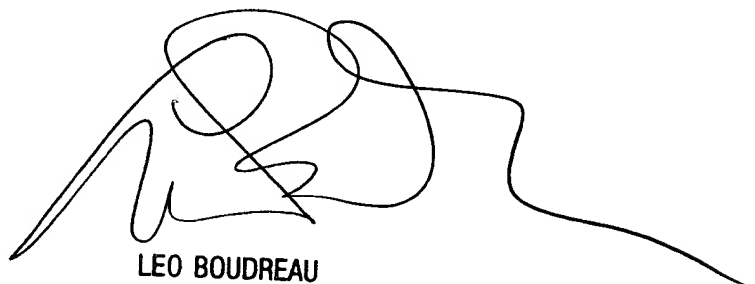
4. An inquiry concerning this communication or earlier communication from the examiner should be directed to Kanji Patel whose telephone number is (703) 305-4011. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached on (703) 305-4706.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 306-0377.

The fax number for this group is (703) 872-9314.



Kanji Patel
Patent examiner
Group Art Unit 2621
May 2, 2002



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